

Notice of Allowability

Application No.

09/730,489

Examiner

David R. Vincent

Applicant(s)

JAIN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/3/05.
2. ☒ The allowed claim(s) is/are 1-83.
3. ☒ The drawings filed on 05 December 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☒ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 7/29/2002
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

David R Vincent
Primary Examiner
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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ernest Beffel on 5/25/05.

Claim 1, the last paragraph (last four lines) has been replaced with:

--a polymorphic response including a message type and version that, in combination with the schema identifier, define one or more additional data elements of the message type and version.--

Claim 29, the last paragraph (last four lines) has been replaced with:

--a polymorphic response including a message type and version that, in combination with the schema identifier, define one or more additional data elements of the message type and version.--

Claim 47, the paragraph starting with "a polymorphic" (lines 7-10) has been replaced with:

--a polymorphic response including a message type and version that, in combination with the schema identifier, define

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one or more additional data elements of the message type and version.--

Claim 64, the paragraph starting with "a polymorphic" (lines 7-10) has been replaced with:

--a polymorphic response including a message type and version that, in combination with the schema identifier, define one or more additional data elements of the message type and version.--

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REASONS FOR ALLOWANCE

1. The following is an Examiner's statement of reasons for allowance: Claims 1-83 are considered allowable since when reading the claims in light of the specification, as per MPEP § 2111.01 or In re Sneed, 710 F.2d 1544, 1548, 218 USPQ 385, 388 (Fed. Cir. 1983), none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims including a polymorphic response including a message type and version that, in combination with the schema identifier, define one or more additional data elements of the message type and version, as specified in claims 1, 29, 47, and 64.

The Examiner was persuaded by the arguments filed.

Non Patent Literature

Although Hirshfield (*Object-Oriented Programming*, 1996) disclosed polymorphism, messages, OOP objects determining versions of messages, there was no disclosure of a polymorphic response including a message type and version that, in combination with identified schema, define one or more additional data elements of the message type and version.

US Patent

Bowman (US 6,697,824 of record) fails to disclose or teach a polymorphic response including a message type and version

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that, in combination with the identified schema, define one or more additional data elements of the message type and version.

Foreign Patent

Although Graham Castree (EP 0 945 789 A2) discloses providing polymorphic response in data processing Graham Castree fails to disclose or teach a polymorphic response including a message type and version that, in combination with the identified schema, define one or more additional data elements of the message type and version.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David R Vincent whose telephone number is 703 305 4957. The examiner can normally be reached on M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 571 272 3126. The fax phone number for the

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organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 5/25/05
David R Vincent

Primary Examiner

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May 24, 2005